

St Marys to keep water permit

BY DON REDMOND

APRIL 9, 2009

Despite a warning from the Ministry of the Environment that they could lose their Permit To Take Water (PTTW) by March 20, quarry applicant St Marys has managed to hold onto it, following a meeting with MOE officials last week.

Flamborough Councillor Margaret McCarthy was told by Bill Bardswick, the director of the Hamilton MOE, that St Marys will keep their PTTW, simply because they asked to in writing. However, she added that Bardswick told her it didn't mean St Marys would actually do any further water recirculation equipment testing, "simply that they reserve the right to do the testing."

She noted that Bardswick told her that the MOE "cannot pull the permit if they write him making that request."

"That's it. A letter? What a joke," said McCarthy, adding with a rueful laugh. "When the MOE threatened to pull the permit, they should have added the proviso that they 'kind of, maybe' would pull the permit."

Despite pushing ahead with their quarry application at the Ministry of Natural Resources - which at first deemed the St Marys application 'incomplete' before giving the thumb's up to a second submitted application - McCarthy said the the aggregate giant recognized that any problems with the MOE could hold them up.

In a March 13 letter to Carl Slater, Director of Water Resources in Hamilton's MOE office, St Marys vice-president John Moroz asked that the licence not be revoked.

However, the letter said that while the company wanted to "discuss the continuation of testing," they also believed that all "Ministry concerns were addressed in the comprehensive hydrogeological assessment of the test and the site."

In actual fact, St Mary's did one water recirculation equipment testing last July in heavy rains and the MOE has already deemed those tests are inconclusive due to the weather conditions.

The company was supposed to do four tests in all but in the recent past, seemed to initially be balking at further tests.

So the MOE wanted to meet directly with St Marys officials for clarification on the letter.

"We will be following up with them to determine what exactly this letter means as it is not clear to us from the wording they have used in their response," Bardswick told McCarthy prior to the meeting. "Are they prepared to do the testing under the mandate of the permit if it can be agreed as to the nature and purpose of the testing?"

After the meeting when the MOE okayed the company keeping their PTTW, McCarthy noted

that the aggregate giant “realized things were getting too hot for them. They didn’t think it would be this contentious. After all, for water issues, the MOE has the final say and here was St Marys, thumbing their noses at them.”

“I think they finally realized this would look bad on the application and now they have an opportunity to tell the MNR, ‘oh, yes, we’re cooperating with the MOE.’ So it keeps the application alive.”

In the meanwhile, McCarthy has heard back from Premier Dalton McGuinty on the issue. After twice appealing to the Premier directly for his intervention, he wrote back on April 2, saying, “My colleagues and I will continue to echo our belief that strong environmental protection is the foundation of the high quality of life citizens enjoy in Ontario and vital to ensuring the sustainable economic growth of our province. That is why it is a priority of this government...all Ontarians deserve to live and work in clean, safe communities in which the environment contributes to our health and well-being.”

However, McGuinty redirected her concerns, noting, “As the issue you’ve raised would best be addressed by the Honourable Donna Cansfield, Minister of Natural Resources, I have passed along a copy of your message to her so that she or a member of her staff can respond to you directly.”

“I’m glad he responded but it’s kind of a nonanswer,” sighed McCarthy.

St Marys will be holding a public meeting on April 27 from 4 to 9 pm at the Waterdown Legion Hall, 79 Hamilton Street North in Waterdown.